

CLAIM LISTING

1-7. (canceled)

8. (previously presented) The method of claim 9 wherein the step of determining if the first frame rate was in error comprises the step of determining if the first frame was a signaling frame.

9. (previously presented) A method comprising the steps of:
receiving a first frame;
determining a first frame rate for the first frame;
decoding the first frame according to the first frame rate to produce a speech decoder filter state;
receiving a second frame;
determining a second frame rate for the second frame;
determining, based on the second frame rate, if the first frame rate was in error to produce an error determination;
updating the speech decoder filter state based on the error determination to produce an updated speech decoder filter state;
decoding the second frame using the updated speech decoder filter state.

10. (previously presented) The method of claim 9 wherein the step of determining, based on the second frame rate, if the first frame rate was in error comprises the step of determining if a transition from the first frame rate to the second frame rate was invalid for not conforming to pre-defined, vocoder, rate-transition rules.

11. (currently amended) ~~The method of claim 9 wherein the step of determining the first frame rate comprises the step of determining a full rate frame and the step of determining the second frame rate comprises the step of determining an 8th rate frame wherein the step of determining, based on the second frame rate, if the first frame rate was in error comprises the step of determining that the first frame rate was in error when the first frame rate is determined to be a full rate frame and the second frame rate is determined to be an 8th rate frame.~~
The method of claim 9 wherein the step of determining, based on the second frame rate, if the first frame rate was in error comprises the step of determining that the first frame rate was in error when the first frame rate is determined to be a full rate frame and the second frame rate is determined to be an 8th rate frame.

12. (original) The method of claim 9 wherein the step of determining the first frame rate and the second frame rate comprises the step of determining frame rates from a group consisting of full, half, quarter, and eighth frame rates.

13. (previously presented) The method of claim 9 wherein the step of updating the speech decoder filter state comprises the step of resetting the state of the speech decoder filter.

14. (previously presented) The method of claim 9 wherein the step of updating the speech decoder filter state comprises the step of updating the state of a filter from a group consisting of a pitch filter, a vocal tract filter, and a post filter.

15-20. (canceled)

21. (currently amended) The method of claim 9 wherein the step of updating the speech decoder filter state comprises the step of resetting ~~at least one memory from the group consisting of an adaptive codebook excitation memory, a postfilter synthesis memory, and a vocal tract filter memory.~~

22. (previously presented) The method of claim 8, wherein the step of determining if the first frame rate was in error comprises the step of determining that the first frame rate was not in error, if the first frame was determined to be a signaling frame.

23. (new) The method of claim 9 wherein the step of updating the speech decoder filter state comprises the step of resetting a postfilter synthesis memory.

24. (new) The method of claim 9 wherein the step of updating the speech decoder filter state comprises the step of resetting a vocal tract filter memory.

25. (new) An apparatus comprising:
means for determining a first frame rate for a first frame;
means for decoding the first frame according to the first frame rate to produce a speech decoder filter state;
means for determining a second frame rate for a second frame;
means for determining, based on the second frame rate, if the first frame rate was in error to produce an error determination;
means for updating the speech decoder filter state based on the error determination to produce an updated speech decoder filter state;
means for decoding the second frame using the updated speech decoder filter state.
26. (new) The apparatus of claim 25 wherein the means for determining, based on the second frame rate, if the first frame rate was in error comprises means for determining if a transition from the first frame rate to the second frame rate was invalid for not conforming to pre-defined, vocoder, rate-transition rules.
27. (new) The apparatus of claim 25 wherein the means for determining, based on the second frame rate, if the first frame rate was in error comprises means for determining that the first frame rate was in error when the first frame rate is determined to be a full rate frame and the second frame rate is determined to be an 8th rate frame.
28. (new) The apparatus of claim 25 wherein the means for updating the speech decoder filter state comprises means for resetting an excitation memory.
29. (new) The apparatus of claim 25 wherein the means for updating the speech decoder filter state comprises means for resetting a postfilter synthesis memory.